

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION

ATTORNEY'S DOCKET NO.: BOSTU 3.0-002

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Identification Of Virulence Determinants Activators In Prokaryotic Pathogens the specification of which

is attached hereto

was filed on September 30, 1999 as United States Application Number or PCT International Application Number 09/408,618 and was amended on ----- (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (month, day, year)	PRIORITY CLAIMED
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>

LISTING OF FOREIGN APPLICATIONS CONTINUED ON PAGE 3 HEREOF YES NO

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Application Number: 60/102,545

Filing Date: September 30, 1998

Application Number:

Filing Date:

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Parent Application Serial Number:

Parent Filing Date:

Parent Patent No.:

U.S. Parent Application Serial Number:

Parent Filing Date:

Parent Patent No.:

PCT Parent Number:

Parent Filing Date:

LISTING OF US APPLICATIONS CONTINUED ON PAGE 3 HEREOF: YES NO

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Lawrence I. Lerner, Reg. No. 19,516; Sidney David, Reg. No. 22,768; Joseph S. Littenberg, Reg. No. 20,832; Arnold H. Krumholz, Reg. No. 25,428; William L. Menthlik, Reg. No. 27,108; John R. Nelson, Reg. No. 26,573; Roy H. Wepner, Reg. No. 28,350; Stephen B. Goldman, Reg. No. 28,512; Paul H. Kochanski, Reg. No. 29,660; Marcus J. Millet, Reg. No. 28,241; Bruce H. Sales, Reg. No. 32,793; Daniel H. Bobis, Reg. No. 16,694; Keith E. Gilman, Reg. No. 32,137; Robert B. Cohen, Reg. No. 32,768; Arnold B. Dompien, Reg. No. 29,736; Michael H. Teschner, Reg. No. 32,662; Gregory S. Gewirtz, Reg. No. 36,522; Jonathan A. David, Reg. No. 36,494; Shawn P. Foley, Reg. No. 33,071; John P. Maldjian, Reg. No. 41,967; Thomas M. Palisi, Reg. No. 36,629; Kimberly V. Flugger, Reg. No. 43,612; Jason I. Garbelli, Reg. No. 44,116; Renee M. Robeson, Reg. No. 41,777; Raymond W. Augustin, Reg. No. 28,588; Harvey L. Cohen, Reg. No. 28,365; Michael J. Wallace, Jr., Reg. No. 44,486; Michael J. Doherty, Reg. No. 40,592; Robert J. Scheffel, Reg. No. 43,090; Jeffrey S. Dickey, Reg. No. 35,858; Matthew B. Demier, Reg. No. 40,989

SEND CORRESPONDENCE TO:
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090

DIRECT TELEPHONE CALLS TO:
(name and telephone number)

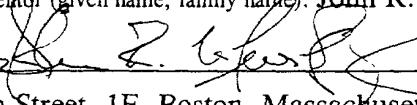
SHAWN P. FOLEY
(908) 654-5000 Fax: (908) 654-7866

DECLARATION -- Page 2

ATTORNEY DOCKET NO. BOSTU 3.0-002

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name): John R. Murphy

Inventor's signature  Date 12/10/99

Residence: 130 Appleton Street, 1E, Boston, Massachusetts, 02116 Citizenship: USA

Post Office Address: 130 Appleton Street, 1E, Boston, Massachusetts, 02116

Full name of second joint inventor, if any (given name, family name) Li Sun

Second Inventor's signature _____ Date _____

Residence: 119 Oxford Road, Old Marston, Oxford-OX3 0RB, United Kingdom Citizenship: Peoples Republic of China

Post Office Address: 119 Oxford Road, Old Marston, Oxford-OX3 0RB, United Kingdom

Full name of third joint inventor, if any (given name, family name):

Third Inventor's signature _____ Date _____

Residence: Citizenship:

Post Office Address:

Full name of fourth joint inventor, if any (given name, family name):

Fourth Inventor's signature _____ Date _____

Residence: Citizenship:

Post Office Address:

Full name of fifth joint inventor (given name, family name):

Fifth Inventor's signature _____ Date _____

Residence: Citizenship:

Post Office Address:

Full name of sixth joint inventor, if any (given name, family name):

Sixth Inventor's signature _____ Date _____

Residence: Citizenship:

Post Office Address:

Full name of seventh joint inventor, if any (given name, family name):

Seventh Inventor's signature _____ Date _____

Residence: Citizenship:

Post Office Address:

Full name of eighth joint inventor, if any (given name, family name):

Eighth Inventor's signature _____ Date _____

Residence: Citizenship:

Post Office Address:

Additional inventors are being named on separately numbered sheets attached hereto.

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PCT Parent Number:

Parent Filing Date:

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(name and telephone number)

SHAWN P. FOLEY
(908) 654-5000 Fax: (908) 654-7866

DECLARATION -- Page 2

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Full name of sole or first inventor (given name, family name): John R. Murphy

Inventor's signature _____ Date _____

Residence: 130 Appleton Street, 1E, Boston, Massachusetts, 02116 Citizenship: USA

Post Office Address: 130 Appleton Street, 1E, Boston, Massachusetts, 02116

Full name of second joint inventor, if any (given name, family name) Li Sun

Second Inventor's signature _____ Date 12/15/99

Residence: 119 Oxford Road, Old Marston, Oxford-OX3 0RB, United Kingdom Citizenship: Peoples Republic of China

Post Office Address: 119 Oxford Road, Old Marston, Oxford-OX3 0RB, United Kingdom

Full name of third joint inventor, if any (given name, family name):

Third Inventor's signature _____ Date _____

Residence: _____ Citizenship: _____

Post Office Address: _____

Full name of fourth joint inventor, if any (given name, family name):

Fourth Inventor's signature _____ Date _____

Residence: _____ Citizenship: _____

Post Office Address: _____

Full name of fifth joint inventor (given name, family name):

Fifth Inventor's signature _____ Date _____

Residence: _____ Citizenship: _____

Post Office Address: _____

Full name of sixth joint inventor, if any (given name, family name):

Sixth Inventor's signature _____ Date _____

Residence: _____ Citizenship: _____

Post Office Address: _____

Full name of seventh joint inventor, if any (given name, family name):

Seventh Inventor's signature _____ Date _____

Residence: _____ Citizenship: _____

Post Office Address: _____

Full name of eighth joint inventor, if any (given name, family name):

Eighth Inventor's signature _____ Date _____

Residence: _____ Citizenship: _____

Post Office Address: _____

Additional inventors are being named on separately numbered sheets attached hereto.

RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof

1. Name of conveying party(ies):

John R. Murphy and Li Sun

Additional name(s) of conveying party(ies) Yes No

3. Nature of Conveyance:

Assignment

Merger

Security Agreement

Change of Name

Other _____

Execution Date: February 12, 2001

2. Name and address of receiving party(ies)

Name: Boston Medical Center Corporation

Internal Address: _____

Street Address:
One Boston Medical Center Place

City: Boston

State: MA Zip: 02118

Additional name(s) & Yes No
address(es) attached:

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the new application is: _____

A. Patent Application No.(s):

09/408,618

B. Patent No.(s):

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: LERNER, DAVID, LITTBENBERG, KRUMHOLZ & MENTLIK, LLP

Internal Address:

Street Address: 600 South Avenue West

City:
Westfield

State: NJ Zip: 07090

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$ 40.00

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

12-1095

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Shawn P. Foley
Name of Person Signing

Shawn P. Foley
Signature

July 10, 2001
Date

Total number of pages including cover sheet, attachments, and documents: 2

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Box Assignments, Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: July 10, 2001 Signature: Shawn P. Foley (Shawn P. Foley)

JC821 U.S. PTO
09/971884
10/05/01



02123

A S S I G N M E N T

WHEREAS, John R. Murphy, a citizen of United States, residing at 130 Appleton Street, Boston, Massachusetts 02116; and Li Sun, a citizen of P.R. China, residing at P.O. Box 230275, Boston, MA as assignors, have invented improvements in

Identification of Virulence Determinants Activators in Prokaryotic Pathogens

for which U.S. Application No. 09/408,618 for Letters Patent was filed in the U.S. Patent and Trademark Office on September 30, 1999.

AND WHEREAS, Boston Medical Center Corporation, a corporation of Massachusetts, having a place of business at One Boston Medical Center Place, Boston, Massachusetts 02118, as assignee, is desirous of acquiring all right, title and interest in and to said invention and any Letters Patent that may be granted therefor.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, we as assignors hereby sell, assign and set over to said assignee the entire right, title and interest for the United States of America and all other countries in and to said invention and the aforesaid application for Letters Patent, all original, divisional, continuation, substitute or reissue applications and patents applied for or granted therefor in the United States of America and all other countries, and the Commissioner of Patents and Trademarks is hereby authorized and requested to issue all patents on said improvements or resulting therefrom to said assignee herein, as assignee of the entire interest therein; and the undersigned for us and our legal representatives, heirs and assigns do hereby agree and covenant without further remuneration, to execute and deliver all divisional, continuation, reissue and other applications for Letters Patent on said improvements and all assignments thereof to said assignee or its assigns, to communicate to said assignee or its representatives all facts known to the undersigned respecting said improvements, whenever requested, to testify in any interferences or other legal proceedings in which any of said applications or patents may become involved, to sign all lawful papers, make all rightful oaths, and to do generally everything necessary to aid assignee, its successors, assigns and nominees to obtain patent protection for said improvements in all countries, the expenses incident to said applications to be borne and paid by said assignee.

2/9/01

Date

2-12-01

Date

STATE OF New Jersey
COUNTY OF Union

On this 9 day of Feb. 2001, before me appeared John R. Murphy, the persons who signed this instrument, who acknowledged that the same was executed by them of their own free will for the purposes therein set forth.

Suzanne Kahaly
Notary Public
290074, DOC

SUZANNE KAHALY
A Notary Public of New Jersey
My Commission Expires January 31, 2005

STATE OF NEW JERSEY
COUNTY OF UNION

On this 12th day of February, 2001 before me appeared Li Sun, the person who signed this instrument, who acknowledged that the same was executed by her of her own free will for the purposes therein set forth.

Suzanne Kahaly
NOTARY PUBLIC